

NIPOMO COMMUNITY SERVICES DISTRICT

Celebrating 43 - Years of Service 1965 - 2008

AGENDA

JULY 9, 2008 AT 9AM

BOARD ROOM 148 SOUTH WILSON STREET, NIPOMO, CA

BOARD of DIRECTORS

MICHAEL WINN, **PRESIDENT**
JAMES HARRISON, **VICE PRESIDENT**
CLIFFORD TROTTER, **DIRECTOR**
LARRY VIERHEILIG, **DIRECTOR**
ED EBY, **DIRECTOR**

PRINCIPAL STAFF

BRUCE BUEL, **GENERAL MANAGER**
LISA BOGNUDA, **ASSIST. GENERAL MANAGER**
DONNA JOHNSON, **BOARD SECRETARY**
JON SEITZ, **GENERAL COUNSEL**
PETER SEVCIK, **DISTRICT ENGINEER**

Mission Statement: The Nipomo Community Services District's mission is to provide the community with reliable, quality and cost-effective services.

Vision Statement: The Nipomo Community Services District's vision is to manage the resources and future growth of the community.

NOTE:

- All comments concerning any item on the agenda are to be directed to the Board President.
- Consistent with the Americans with Disabilities Act and California Government Code §54954.2 requests for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires the modification or accommodation in order to participate at the below referenced public meeting by contacting the District General Manager at 805-929-1133.
- District-prepared staff reports and documents are generally posted on the District's website {**NCS.D.CA.GOV**} on the same date the agenda is posted.
- Items may be taken out of order. The Board typically breaks for lunch at approximately 12 noon and conducts Closed Session at that time, reconvening to public session at approximately 1:00 p. m.
- Please silence all cell phones during the meeting, as a courtesy to others.

A.	CALL TO ORDER AND FLAG SALUTE	NEXT RESOLUTION	2007-1096
		NEXT ORDINANCE	2008-110

B. ROLL CALL

C. PRESENTATIONS AND PUBLIC COMMENT

C-1) COMMANDER BRIAN HASKALL OF SLO COUNTY SHERIFF'S OFFICE
Update re: Sheriff's Activities on the Nipomo Mesa

C-2) BATTALION CHIEF BILL FISHER OF CAL FIRE
Update re: Cal Fire Activities on the Nipomo Mesa

C-3) HOWARD MARLOWE OF MARLOWE & COMPANY
Update on Lobby Effort to Secure Federal Funding for Supplemental Water

C-4) DISTRICT ENGINEER PETER SEVCIK
Update re: District Engineer Activities

C-5) DIRECTORS' ANNOUNCEMENTS OF DISTRICT & COMMUNITY INTEREST
Receive Announcements from Directors Items of District & Community Interest

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C-6) PUBLIC COMMENT ON ITEMS NOT ON AGENDA

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction but not on the Board's agenda or pending before the Board.

Public Comment is limited to three (3) minutes or otherwise at the discretion of the President.

D. CONSENT AGENDA *The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in brackets.*

D-1) APPROVE WARRANTS [RECOMMEND APPROVAL]

D-2) APPROVE BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Approve Minutes of 6/25/08 Regular Meeting

D-3) APPROVE PROPOSAL TO SCAN UTILITY BILLING HISTORIC RECORDS
[RECOMMEND APPROVAL]

D-4) AMEND ASSISTANT GENERAL MANAGER JOB TITLE [ADOPT RESOLUTION]

D-5) AUTHORIZE EXECUTION OF WATERLINE INTERTIE PROJECT DESIGN SERVICES AGREEMENT [RECOMMEND ADOPTION]

D-6) AUTHORIZE PROCESSING OF WATERLINE INTERTIE PROJECT CONSTRUCTION MANAGEMENT REQUEST FOR PROPOSAL [RECOMMEND ADOPTION]

D-7) ADOPT PROJECT DEVELOPMENT GUIDELINES[RECOMMEND APPROVAL]

E. ADMINISTRATIVE ITEMS

E-1) CONSIDER DEBLAUW INTENT-TO-SERVE LETTER APPLICATION FOR RESIDENTIAL SUBDIVISION ON POMEROY [RECOMMEND APPROVAL]

E-2) DISCUSS MECHANICS OF PROPOSITION 218 BLACKLAKE PROTEST PROCEEDING [PROVIDE POLICY GUIDANCE]

E-3) CONSIDER CONDITIONAL BID AWARD AND AUTHORIZE EXECUTION OF CONTRACT FOR RELOCATION OF NCSD'S TEFIT AND THOMPSON WATERLINES DISPLACED BY COUNTY DRAINAGE WORKS ON HAYSTACK CREEK AND AUTHORIZE EXECUTION OF CONSTRUCTION MANAGEMENT AGREEMENT WITH CANNON ASSOCIATES [AWARD BID WITH CONDITIONS AND AUTHORIZE EXECUTION OF CONTRACT & AGREEMENT]

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F. MANAGER'S REPORT

G. COMMITTEE REPORT

H. DIRECTORS' REQUESTS TO STAFF AND SUPPLEMENTAL REPORTS

I. CLOSED SESSION ANNOUNCEMENTS

1. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 SMVWCD VS. NCSD (SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES).
2. CONFERENCE WITH LEGAL COUNSEL PENDING LITIGATION GC§54956.9 MARIA VISTA VS. NCSD (CASE NO. CV 040877), MARIA VISTA VS. NCSD (CASE NO. CV 061079), AND MARIA VISTA VS. LINDA VISTA FARMS, NCSD ET AL. (CASE NO. CV 040150);
3. CONFERENCE WITH LEGAL COUNSEL RE: PENDING LITIGATION PURSUANT TO GOVERNMENT CODE SECTION 54956.9; MARIA VISTA ESTATES VS. NCSD ET AL. (CASE NO. ND07-10362RR IN UNITED STATES BANKRUPTCY COURT, CENTRAL DISTRICT, NORTHERN DIVISION)

J. PUBLIC COMMENT ON CLOSED SESSION ITEMS

K. ADJOURN TO CLOSED SESSION

L. OPEN SESSION

ANNOUNCEMENT OF ACTIONS, IF ANY, TAKEN IN CLOSED SESSION

ADJOURN

➤ **THE NEXT REGULAR BOARD MEETING IS JULY 23, 2008.**

TENTATIVELY SCHEDULED ITEMS INCLUDE:

- Blacklake Water Division Rate Change Protest Hearing
- Scoping Hearing for WIP EIR